

Cape Verde

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Cape Verde are unavailable.⁹⁴⁸ The Ministry of Employment, Training and Social Integration, however, estimates that 3.3 percent of children 5 to 13 years old are engaged in paid or unpaid work inside or outside the home.⁹⁴⁹ Children work as street vendors and car washers in urban areas including Mindelo, Praia, and Sal.⁹⁵⁰ These children are vulnerable to abuse and commercial sexual exploitation.⁹⁵¹

Article 73 of the Constitution guarantees the universal right to education, and regulations call for compulsory primary education until the age of 11.⁹⁵² Education is free for the first 6 years of primary school, which typically cover the ages of 6 to 12.⁹⁵³ In 2002, the gross primary enrollment rate was 121 percent and the net primary enrollment rate was 99 percent.⁹⁵⁴ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Primary school attendance statistics are not available for Cape Verde.⁹⁵⁵ As of 2001, 88 percent of children who started primary school were likely to reach grade 5.⁹⁵⁶

⁹⁴⁸ This statistic is not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

⁹⁴⁹ Government of Cape Verde, *Cape Verde National Report on Follow Up to the World Summit for Children and Lima Accord*, Ministry of Employment, Training, and Social Integration, Praia, 2000, Annex 1.

⁹⁵⁰ UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Cape Verde*, CRC/C/15/Add.167, Geneva, October 12, 2001, paras. 57 and 61; available from <http://www.hri.ca/fortherecord2001/documentation/tbodies/crc-c-11-add23.htm>.

⁹⁵¹ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention on the Rights of the Child, Periodic Reports of States Parties Due in 1994: Cape Verde*, CRC/C/11/Add.23, United Nations, January 2001. See also UN Committee on the Rights of the Child, *Concluding Observations*.

⁹⁵² Embassy of the Republic of Cape Verde, e-mail to USDOL official, October 4, 2005. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Cape Verde*, Washington, DC, February 28, 2005, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27717.htm>.

⁹⁵³ U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Cape Verde*, 2004 [cited February 26, 2004], Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27717.htm>.

⁹⁵⁴ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrollment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

⁹⁵⁵ This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used.

⁹⁵⁶ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

Child Labor Laws and Enforcement

The Constitution, the Legal Regime for Labor Regulations (decree-law 62/87, as amended by law 10/IV/93), the Civil Code, and the Penal Code regulate child labor in Cape Verde. The minimum age for employment is 16 years, and the minimum age for apprentice contracts is 14 years.⁹⁵⁷ The law prohibits children under the age of 16 from working at night or in enterprises that produce toxic products.⁹⁵⁸ Children between the ages of 14 and 18 may not work more than 38 hours per week or more than 7 hours per day.⁹⁵⁹ The Constitution prohibits children of compulsory school age from working, and forbids the exploitation of child labor.⁹⁶⁰ The compulsory recruitment age for military service is 18 years, but 17 year olds may volunteer with parental consent.⁹⁶¹

The Director-General for Labor and Inspector-General for Labor implement and enforce child labor laws and regulations,⁹⁶² while the courts enforce the laws against forced work.⁹⁶³ The legal remedies for violating child labor laws include civil compensation for the victims, as well as criminal penalties of up to 10.5 years of imprisonment and seizure of the violator's assets. There are no inspectors who deal exclusively with child labor issues.⁹⁶⁴

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Since 2003, the Government together with UNICEF has been preparing a comprehensive policy and national program of action on child labor. It is not yet completed.⁹⁶⁵ These requirements are enforced through awareness raising campaigns, and government supported radio and television programs that promote access to primary schooling and enhance its quality and relevance.⁹⁶⁶ On June 16, 2005, the Government, in cooperation with UNICEF, organized a meeting on children's rights, in which the need for institutional awareness was recognized.⁹⁶⁷

| Selected Child Labor Measures Adopted by Governments | | |
|--|----------|---|
| Ratified Convention 138 | | |
| Ratified Convention 182 | 10/23/01 | ✓ |
| ILO-IPEC Member | | |
| National Plan for Children | | |
| National Child Labor Action Plan | | |
| Sector Action Plan | | |

The Ministry of Education and the World Food Program (WFP) continued to collaborate on primary school feeding programs through 2005.⁹⁶⁸ The WFP provides free meals in over 450 primary and pre-

⁹⁵⁷ U.S. Embassy-Praia, *Reporting*, August 26, 2005.

⁹⁵⁸ U.S. Department of State, *Country Reports- 2003: Cape Verde*, Section 6d.

⁹⁵⁹ Gregorio Semodo, letter to USDOL official, October 26, 2001. See also U.S. Department of State, *Country Reports- 2003: Cape Verde*, Section 6d.

⁹⁶⁰ *CONSTITUIÇÃO DA REPÚBLICA, Lei Constitucional n.º 1/V/99 de 23 de Novembro*, Article 89 (2) and (3), (1999); available from <http://www.parlamento.cv/constituicao/const00.htm>. It is noted that the legal age for employment, 16 years, is inconsistent with the age for completing education requirements, 12 years. See U.S. Department of State, *Country Reports- 2004: Cape Verde*, Section 6d.

⁹⁶¹ *Child Soldiers Global Report 2004: Cape Verde*: http://www.child-soldiers.org/document_get.php?id=763.

⁹⁶² U.S. Embassy- Praia, *reporting*, August 26, 2005.

⁹⁶³ U.S. Embassy- Praia official, electronic communication to USDOL official, October 4, 2005.

⁹⁶⁴ The criminal penalties are outlined in Cape Verde's Penal Code. U.S. Embassy-Praia, *reporting*, August 26, 2005.

⁹⁶⁵ Ibid.

⁹⁶⁶ Ibid.

⁹⁶⁷ Ibid.

primary schools to help boost school enrollment and improve student performance.⁹⁶⁹ Government institutes that encourage attendance are ICASE (Instituto Caboverdiano de Accao Social e Escolar), ICM (Instituto Cabo Verdiano de Menores), and ICS (Instituto Caboverdiano de Solidariedade).⁹⁷⁰ UNICEF and the Government have also launched a variety of initiatives to improve access to schooling, particularly for girls, including programs that provide educational materials and address gender bias.⁹⁷¹

⁹⁶⁸ When they are able, local farmers donate surplus crops toward this effort. See WFP, "Cape Verde: How Long Should Support Last?" in *Global School Feeding Report- 2002*, Rome, 2002.

⁹⁶⁹ Integrated Regional Information Networks, "Cape Verde: Feeding for the future", IRINnews.org, [online], October 30, 2003 [cited February 12, 2004]; available from <http://www.irinnews.org/print.asp?ReportID=37546>.

⁹⁷⁰ Embassy of the Republic of Cape Verde, e-mail to USDOL official, October 4, 2005. ICASE guarantees full meal and school material for the most impoverished children; ICM promotes, protects and enforces all children's rights, amongst them, the right to the basic education; ICS supports social integration of children and teenagers into the school system.

⁹⁷¹ UNICEF, *Girls' Education in Cape Verde*, [online] [cited August 25, 2003]; available from http://www.unicef.org/programme/girlseducation/action/cases/cape_verde.htm.